

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FRANK CIARAMELLA, LILLIAN VELAZQUEZ,  
ANNEMARIE WALKER, ANTONIO MARTIN,  
CHRISTOPHER RUSSO, MATTHEW ADINOLFI,  
JODY VIRTUOSO, YVONNE HAWKINS, BLANCA  
COREAS, and BRENDA PERRY, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

- against -

JAMES V. MCDONALD, as Acting Commissioner of  
the Department of Health,

Defendant.

No. 18 Civ. 6945 (MKV) (SC)

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT AND GENERAL RELEASE, AND APPROVAL OF THE  
PROPOSED CLASS FAIRNESS NOTICE**

Upon the declaration of Wesley R. Powell ("Powell Declaration") and the accompanying Memorandum of Law, Plaintiffs Lillian Velazquez, AnneMarie Walker, Christopher Russo, Matthew Adinolfi, Blanca Coreas, and Brenda Perry (the "Named Plaintiffs"), on behalf of themselves and a certified class of all others similarly situated (the "Class" and collectively with the Named Plaintiffs, the "Plaintiffs"), hereby move pursuant to Federal Rule of Civil Procedure 23(e) for an order, *inter alia*: (i) granting preliminary approval of the proposed settlement of this action (the "Settlement"); (ii) approving the form and manner of giving notice of the proposed Settlement to Class members; and (iii) scheduling a fairness hearing on approval of the Settlement. The grounds for this Motion are set forth in the accompanying Memorandum of Law and Powell Declaration. Attached as Exhibit A to the Memorandum of Law is a Proposed Order Granting Preliminary Approval of Class Action Settlement and General Release, and Approval of the Proposed Class Fairness Notice Plan.

Defendant does not oppose the relief requested in this Motion.

Dated: May 1, 2023

Respectfully submitted,

/s/ Wesley R. Powell

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